

Exhibit “18”

Debra Brewer Hayes

Profile:

- Owner, The Hayes Law Firm, LLP, 1999
- Partner, Woska and Hayes, LLP, 2003-2007
- Of Counsel to Reich & Binstock, 1999 to 2014
- Attorney, Fleming, Hovenkamp and Grayson 1993-1999
- Graduated South Texas College of Law, Cum Laude, May 1986
- B.A. Summa Cum Laude, Cleveland State University, 1981
- Member of the Order of the Lytae
- www.dhayeslaw.com

Licenses and Admission:

- Supreme Court of Texas 1986
- United States District Court, Southern District of Texas 1986
- United States District Court, Northern District of Texas 1992
- Fifth Circuit Court of Appeals 1992
- Seventh Circuit Court of Appeals 2002
- Eleventh Circuit Court of Appeals 2008
- Ninth Circuit Court of Appeals 2010

Member:

- State Bar of Texas
- PIABA, the public investors section of the ABA (2007-2011)

Practice Emphasis:

Ms. Hayes concentrates her practice in Class Actions and complex Consumer, Commercial Litigation.

Ms. Hayes is the Author of "Organizing and Computerizing Your Staff for Mass Litigation." In 2002, Ms. Hayes appeared on a panel at the Texas State Bar Convention discussing corporate liability from the Plaintiff's perspective.

Accomplishments:

- Named to Lawdragon's 2007 list of Top 500 Leading Plaintiffs' Lawyers in America. Please visit <http://www.lawdragon.com>
- Successfully argued precedent setting case before Judge Posner in the 7th Circuit concerning motion to stay based on arbitration clause
- Co-counsel in landmark decision by Washington Supreme Court striking arbitration clause

Precedent Setting Cases:

- No: 02-1278 - *CIGNA Healthcare of St. Louis, Inc., et al., v. Timothy N. Kaiser, et al.*, Seventh Circuit Court of Appeals, in a case of first impression, refused to lift the stay and order arbitration between physician and CIGNA until state court issues were resolved.
- *Tacoma Orthopedic v. Regence Blueshield*, (Consolidated with and reported at *Kruger Clinic Orthopaedics, LLC v. Regence Blueshield*, 123 Wn. App. 355, 98 P.3rd 66, 2004 Wash. App. LEXIS 2157 (2004) (*Tacoma Orthopaedic Surgs., Inc. v. Regence Blueshield*, 125 Wn. App. 1005, LEXIS 7-00 (2005)). Case involved in excess of 20,000 health care providers consisting of physicians and hospitals who sued their PPO insurer over bundling, downcoding, and exclusionary fee service practices. The Washington Supreme Court issued a landmark decision in striking an arbitration clause that would have thwarted the efforts of the healthcare providers to recover their damages.

Health Care Class Actions (Note: Experience with both Provider and with Ancillary Provider Litigation)

- *In Re Managed Healthcare*, MDL 1334 - *Kathy Tisco, P.T., Dr. Scott J. Ashton, Dr. C. Phillip Barnwell and Dr. Mick Mahan, on behalf of a class of others similarly situated v. CIGNA Corp.; CIGNA Healthcare of St. Louis, Inc.; and CIGNA Healthcare of Texas, Inc., co-class counsel* in a certified national class action involving in excess of 210,000 specialty healthcare providers including but not limited to chiropractors, psychologists, counselors and podiatrists who

sued their PPO insurer over alleged fraudulent billing and business practices. This lawsuit follows a similar settlement, settled in September of 2003, which dealt with Physicians.

- *Timothy N. Kaiser, M.D. and Suzanne LeBel Corrigan, M.D.S. v. CIGNA Corporation et al*; Madison County District Court, Illinois, co-class counsel in a certified national class action involving in excess of 750,000 healthcare professionals consisting of physicians and healthcare providers who sued their PPO insurer over bundling, downcoding, and exclusionary fee service practices. A settlement, valued in excess of \$200 million dollars, was reached in this matter. In November 2002. This case was removed to Federal Court in Illinois where the Court conditionally approved a settlement and named me as one of the Class Counsel.
- *In Re Managed Care Litigation, MDL 1334 - Ashton v. Humana, et al*; co-class counsel in a certified nationwide class involving hundreds of thousands of healthcare professionals who sued over bundling, downcoding and business practices of the PPO insurer. We successfully settled nationwide class actions with Cigna and UnitedHealthcare on behalf of Healthcare Providers.
- *Franciscan v. Premiera BlueCross*, In Superior Court in Pierce County, Washington, involved in excess of 20,000 health care providers consisting of physicians and hospitals who sued their PPO insurer over bundling, downcoding, and exclusionary fee service practices. A statewide class was certified in 2006 and I was co-lead class counsel. This case was settled by the MDL counsel and we were awarded fees for our contribution to the success of the litigation.
- *Kanawha Urology Associates, Inc. v. Mountain State Blue Cross Blue Shield, Inc.* In the Circuit Court of Wood County, West Virginia co-lead class counsel involving approximately 10,000 healthcare providers and physicians who sued their PPO insurer over bundling, downcoding, improperly requiring clinical records with modifiers, and refusing to disclose their fee schedule. The court certified a statewide class action in 2005.
- *Tacoma Orthopedic v. Regence Blueshield*, (consolidated with and reported at *Kruger Clinic Orthopaedics, LLC v. Regence Blueshield*, 123 Wn. App. 355, 98 P.3rd 66, 2004 Wash. App. LEXIS 2157 (2004) (*Tacoma Orthopaedic Surgs., Inc. v. Regence Blueshield*, 125 Wn. App. 1005, LEXIS 7-00 (2005))). A case involving in excess of 20,000 health care providers consisting of physicians and hospitals who sued their PPO insurer over bundling, downcoding, and exclusionary fee service practices. The Washington Supreme Court

struck an arbitration provision that would have thwarted the efforts of the providers to recover. This case was settled by the MDL counsel and we were awarded fees for our contribution to the success of the litigation.

Consumer Class Actions:

- *Spencer v Shell Oil Co., et al*, 1997, filed in Greene County, Alabama; firm (Fleming, Hovenkamp and Grayson) was co-class counsel for the largest property damage settlement class in the nation and I was very involved in the case. Over six million homeowners were provided the opportunity to replace their leaky plumbing systems in this settlement valued between \$750 million and 1.5 billion dollars.

Misclassification/FLSA Litigation:

- *McChurkin v. Eliot Management Group*, Superior Court, Pierce County, allegations that sales people were improperly classified as “outside sales” to avoid paying overtime and minimum wage. Co-lead class counsel in this matter which resulted in a settlement, in the millions, which was approved in 2012.
- *Schwoyer v. Federal Express*, Superior Court Pennsylvania, allegations that drivers are employees, not independent contractors. This case is ongoing and is stayed until the 7th Circuit rules on Class Certification issues.
- *Malloque v. MultiCare Health System*, Pierce County Superior Court, allegations that the hospitals have failed to pay overtime to nurses. This case was successfully resolved in early 2014.
- *Barnhart v. Jackson Hewitt*, Federal District Court in Oregon,

Excise Tax Litigation:

- *Spoonamore v. Fannie Mae and Freddie Mac*, United States District Court, Kentucky, allegations by County that the defendants claimed an exemption from excise transfer taxes and failed to pay taxes due and owing. Co-class counsel on this nationwide Class action certified in 2013.
- *Small v. Fannie Mae and Freddie Mac*, United States District Court, Virginia, allegations by County that the defendants claimed an exemption from excise transfer taxes and failed to

pay taxes due and owing. The question of standing has recently been certified to the Virginia Supreme Court.

- *Massey v. Fannie Mae and Freddie Mac*, United States District Court, Georgia, allegations by County that the defendants claimed an exemption from excise transfer taxes and failed to pay taxes due and owing.
- *Vadnais v. Fannie Mae and Freddie Mac*, United States District Court, Minnesota, allegations by County that the defendants claimed an exemption from excise transfer taxes and failed to pay taxes due and owing.
- *Hopkins v. Fannie Mae and Freddie Mac*, United States District Court, South Carolina, allegations by County that the defendants claimed an exemption from excise transfer taxes and failed to pay taxes due and owing. Co-class counsel on this nationwide Class action certified in 2013.
- *Wyoming County, West Virginia v. Fannie Mae and Freddie Mac*, United States District Court, West Virginia, allegations by County that the defendants claimed an exemption from excise transfer taxes and failed to pay taxes due and owing.
- *Rowan v. Fannie Mae and Freddie Mac*, United States District Court, North Carolina, allegations by County that the defendants claimed an exemption from excise transfer taxes and failed to pay taxes due and owing. Stipulated class certification motion and order pending before the Court seeking certification and to be named co-class counsel.

Banking and Mortgage Litigation:

- *Walker County, Alabama v. U.S. Bank National Association, et al*, Circuit Court Walker County, Alabama, allegations of false information in recorded deeds in real property records.
- *Walker County, Alabama v. Deutsche Bank*, Circuit Court Walker County, Alabama, allegations of false information in recorded deeds in real property records.
- *County of Wyoming, West Virginia v. U.S. Bank National Association, et al*, Court of Common Pleas of Wyoming County, West Virginia, allegations of false information in recorded deeds in real property records.
- *Johnson v. Countrywide*, allegations of charging of unearned and improper fees on mortgages in violation of Washington law and statutes, argued before the 9th Circuit.
- *Deming v. First Franklin*, A division of National City Bank; Merrill Lynch & Co. Inc.; and

Bank of America Corporation, United States District Court for the Western District of Washington at Tacoma, allegations charging unearned and improper fees on mortgages in violation of Washington law and statutes. Appeal in 9th Circuit to be argued in April, 2013.

Diminished Value Class Actions:

- *Martin v. Hartford Insurance Company*, (United States District Court, Western District Washington at Tacoma); co-class counsel for a nationwide class of over 16,000 insureds who were not paid diminished value when their vehicles were involved in accidents. A multi-million dollar settlement was reached in this matter.
- *Shin v. Esurance*, (United States District Court, Western District Washington at Tacoma); co-class counsel for a nationwide class of over 3,000 insureds who were not paid diminished value when their vehicles were involved in accidents. A seven-figure settlement was reached in this matter.
- *Rose v. Nationwide Insurance Company*, (Superior Court, Pierce County); co-class counsel for a nationwide class of over 90,000 insureds who were not paid diminished value when their vehicles were involved in accidents. After class certification, a multi-million dollar settlement was reached in this matter.
- *Laughlin v. Allstate Insurance Company*, (Superior Court, Pierce County); co-class counsel for a nationwide class of over 25,000 insureds who were not paid diminished value when their vehicles were involved in accidents. After class certification, a multi-million dollar settlement was reached in this matter.
- *Busani v. USAA*, (Superior Court, Pierce County); co-class counsel for a nationwide class of over 14,000 insured who were not paid diminished value when their vehicles were involved in accidents. After class certification, a multi-million dollar settlement was reached in this matter. After court approval of the settlement, settlement funds were distributed to all class members.
- *Moeller v. Farmers Insurance Company*, (Superior Court, Pierce County), co-lead counsel for a statewide class of over 30,000 insureds who were not paid diminished value when their vehicles were involved in accidents. This case was successfully resolved for \$48.5 million dollars in August, 2013.

Vanishing Premium Life Insurance Class Actions:

- *Bussie v. Allmerica*, 1999, filed in Federal District Court in Worcester, Mass.; co-lead class counsel for a nationwide class of life insurance policy owners who had been sold policies under false pretenses. A settlement, valued in excess of \$100 million dollars, was reached in this matter and court approval was obtained.
- *Birdsall v. National Life of Vermont*, 1998, filed in Federal District Court in Burlington, Vermont; co-lead class counsel for a nationwide class of life insurance policy owners who had been sold policies under false pretenses. A settlement, valued in excess of \$75 million dollars, was reached in this matter and court approval was obtained.

Asbestos Class Action:

- *In re: Armstrong World Industries, Inc., et al.*: In The United States Bankruptcy Court for the District of Delaware. Chairman of the Property Damage Committee and lead class counsel on behalf of numerous homeowners, commercial building owners, and governmental entities in this case involving asbestos contamination of buildings caused by vinyl asbestos floor tiles manufactured by Armstrong. Successfully resolved.

Securities Arbitrations:

- *Stephenson v. Wachovia*, before a FINRA panel in Richmond, Virginia
- *Larson v. UBS PaineWeber*, before an arbitration panel in Dallas, Texas
- *Ackerman v. Morgan Keegan*, before a FINRA panel in Birmingham, Alabama
- *Kritz v. Morgan Keegan*, arbitration before FINRA panel in New Orleans
- *Lee v. Morgan Keegan*, arbitration before FINRA panel in Tampa, Florida
- *Muecke v. Merrill Lynch*, arbitration before FINRA arbitrator in Houston, Texas



Scott P. Nealey

Founder and Principal - Law Firm of Scott P. Nealey –2013 to present

Associate then Partner -Lieff Cabraser Heimann, & Bernstein, LLP - 1997 to 2013

17 years of experience in nation-wide complex and class action litigation, personal injury product defect, consumer litigation, and appellate work

Experience & Achievements

Complex Litigation & Class Actions

Extensive experience preparing and arguing class certification, developing scientific and technical proof, including complex economic models to prove liability and damages on a class wide basis, developing experts, undertaking expert and technical discovery, and undertaking motions practice on merits issues. Representative accomplishments include:

- Overseeing the Bextra/Celebrex Cox-2 Inhibitor litigation (MDL 1699). The case resulted in over \$850M in settlements, and a recovery of over \$42M in common benefit fees for participating counsel.
- Preparing and successful arguing class certification motions over 15 times. This for example included three class action cases for the failure of insurers to pay diminished value in settling auto claims:
 - ☐ Busani v. USAA
 - ☐ Laughlin v. Allstate
 - ☐ Moeller v. FarmersSettled for a total of over \$100M
- Obtaining class certification in claims against vehicle manufactures, phone companies, medical device manufactures, and insurers.
- Developing and resolving class and mass action cases involving environmental contamination, securities fraud, defective products, insurance fraud and breach of contract, fraud and break of contract, and the fraudulent failure to pay royalties.
- Had a major role in the trial of three major class actions:
 - Avery v. State Farm ➤ \$1.2B verdict for a nationwide class of policyholders
 - Sims v. Allstate ➤ Defense verdict on contract construction in claims on behalf of nationwide class of policyholders
 - Claighorn v. Edsaco ➤ \$170.7M verdict for a class of defrauded investors in suit against aider and abettor for securities fraud.

Individual/Personal Injury/Product Defect Cases

Personally preparing for trial, and then resolving, seven of the top ten personal injury case recoveries in the history of LCHB.

Developing proof, and litigating, in a wide variety of technical and scientific areas including vehicle design and safety systems, defective drugs and medical devices, tobacco addiction and medical causation, hydrology, and statistical and economic analysis.

Representative accomplishments include:

- ***Mraz v. DaimlerChrysler***, co-lead counsel in case involving the death of a Los Angeles dockworker killed by a park-to-reverse defect in a Dodge Dakota.

Obtained a verdict of \$55.2 million. The case was resolved for \$24M after further proceedings in the bankruptcy court and on appeal.

- ***Guillot v. DaimlerChrysler***, lead counsel in a case for the death of an infant due to the park-to-reverse defect.

\$7.2 M verdict in St. Bernard Parish, Louisiana. The verdict was upheld on appeal, after further proceedings in the bankruptcy court, and was then resolved for \$7.2M while a writ was pending in the Louisiana Supreme Court.

- Personally preparing for trial, and then resolved, 7 of the top 10 individual injury case recoveries in the history of LCHB. These include the recoveries in *Mraz* and *Guillot*, and the following confidential settlements:
 - \$5.9M Improper design of fuel tank led to fuel extreme burns of driver
 - \$3.2M Improper design of SUV lead to roll-over deaths
 - \$2.5M Defective transmission system caused severe injuries
 - \$2.25M Defective transmission system caused severe injuries
 - \$1.75M Defective transmission system caused severe injuries
- Successfully tried individual cases against auto manufactures, auto dealers, a school district, and most recently two federal court cases (*Walker v. RJR* and *Duke v. RJR*) against tobacco companies.
- Obtained an additional 14 individual settlements over \$1,000,000 against defendants in serious injury and death cases.

Major Appellate Work and Opinions

Drafted appellate briefs in over 20 cases. This has included amicus briefs and preparing or responding to four certiorari petitions to the United States Supreme Court. Representative accomplishments include:

- Taragan v. Nissan N. Am., Inc., No. 11-15664, 2012 U.S. App. LEXIS 15996 (9th Cir 7/16/12)

Successfully briefing appeal of summary judgment in class action, district court reversed
- Plaintiffs' Steering Comm. v. Becnel (In re Bextra & Celebrex Mktg. Sales Practices & Prod. Liab. Litig.), No. 09-16928, 386 Fed. Appx. 584; 2010 U.S. App. LEXIS 13129, June 18, 2010 (9th Cir 6/18/2010)

Successfully briefing and arguing fee award challenge by claimant in MDL.
- Guillot v. DaimlerChrysler Corp., 50 So. 3d 173 (La.App. 2010)

Successfully briefing and arguing appeal upholding \$7.2M trial verdict.
- Moeller v. Farmers Ins. Co. of Wash., 155 Wn. App. 133; 229 P.3d 857 (WA App 2010)

Briefing and arguing an appeal of summary judgment on insurance coverage; the Appellate Court overturned the ruling, finding coverage, and upheld class certification on the cross-appeal.
- Moeller v. Farmers Ins. Co. of Wash., 173 Wn.2d 264, 267 P.3d 998 (Wash., 2011)

Decision of Court of Appeals upheld, finding loss in value is a non-excluded covered loss and upholding class certification.
- Ind. State Police Pension Trust v. Chrysler LLC (In re Chrysler LLC), 592 F.3d 370 (2nd Cir 1/25/10); 130 S.Ct. 1015, 175 L.Ed.2d 614 (2009))

Preparing, with Public Citizen Litigation Group, a petition for certiorari on provisions foreclosing future claims. Supreme Court GVRed petition and 2nd circuit vacated its earlier decision.
- 576 F.3d 108 (2nd Cir 2009)

Briefing with Public Citizen Litigation Group appeal of provisions of Chrysler sale agreement foreclosing future claims.
- Wyeth v. Levine, 555 U.S. 555, 129 S.Ct. 1187, 1201-03 (2009)

Drafting and submitting Amicus Curiae for National Conference of State Legislators Supporting Respondents. Argument advanced by Amicus was adopted by the Court as a basis for its holding.
- Laughlin v. Allstate Ins. Co., No. 31612-9-II, 2005 Wash. App. LEXIS 2851 (WA App 11/8/2005)

Briefing and successfully arguing appeal of class certification decision by defendant.

Major Appellate Work and Opinions (Con't)

- Avery v. State Farm Mut. Auto. Ins. Co., 126 S. Ct. 1470, 164 L. Ed. 2d 248 (2006) Drafting cert petition challenging impartiality of decisive vote to overturn verdict by judge elected with direct support from State Farm while case was pending.
- Avery v. State Farm Mut. Auto. Ins. Co., 216 Ill. 2d 100; 835 N.E.2d 801 (Ill 2005) Primary author of briefs seeking to uphold verdict, verdict was overturned on a 4-2 vote after 2 judges were elected to Illinois Supreme Court with support by State Farm while case was pending.
- 321 Ill. App. 3d 269; 746 N.E.2d 1242 (Ill App 2001) Briefed successful answer to appeal of \$1.2B trial verdict for Plaintiff Class, verdict upheld by the Court of Appeal
- Zinser v. Accufix Research Inst., Inc., 253 F.3d 1180 (9th Cir 2000) Briefed choice of law appeal regarding class certification

Awards

- "Northern California Super Lawyer," Super Lawyers, 2012
- The Best Lawyers in America, based on peer and blue ribbon panel review, selected for list of "San Francisco's Best Lawyers," 2012
- "California Lawyer Attorneys of the Year" (CLAY) Award, 2008
- "San Francisco Trial Lawyer of the Year," Finalist, San Francisco Trial Lawyers Association, 2008

Employment

- Principal at Law Firm of Scott P. Nealey – Feb 2013 to current
- Associate, then Partner, Lieff Cabraser Heimann, & Bernstein, LLP 1997 – Feb 2013
- Law Clerk to Chief Justice Joseph R. Weisberger, Supreme Court of Rhode Island (1996-1997)

Education

- Boalt Hall School of Law, University of California, Berkeley (J.D., 1996)
- University of California, Berkeley (B.A. History, Minor Urban Planning, 1988)

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Charles Hunter

Attorney at Law



Charles Hunter was born and raised in San Antonio, Texas, where he attended a private preparatory high school on a competitive scholarship and graduated 8th among 125 students. He subsequently attended college at the University of Texas at Austin, where he earned a bachelor of business administration degree in Finance with honors in 1977.

Mr. Hunter continued his studies at UT Austin to earn a law degree in 1980. As a law student, Mr. Hunter served as Note Editor of the Review of Litigation, as member of the Law School Standards Committee, and as law school delegate to the Constitutional Convention of the Students Association. Mr. Hunter worked as a law student clerk in the law firm of Waggoner Carr, who was a former Texas Attorney General and member of the Warren Commission.

Sworn in as a member of the California State Bar in December 1980, Mr. Hunter worked first with prominent civil rights lawyer Barry Fisher defending religious, speech and associational rights in state and federal courts including the United States Supreme Court in the context of public solicitation of donations, distribution of literature, and land use. He also represented artists and entertainers in copyright and contractual matters. Mr. Hunter next worked for several business and insurance law firms prosecuting and defending securities, trademark, copyright and insurance matters. He drafted insurance coverage opinions and advised business organizations. Later, in private practice, he also represented criminal defendants in state and federal courts gaining valuable courtroom experience.

Returning to Texas in 1994, Mr. Hunter worked as a management consultant advising large churches and related non-profits nationwide on executive compensation issues and on compliance with laws imposing excise taxes as intermediate sanctions on excess benefit transactions. Mr. Hunter next worked as a third-party manager of non-qualified executive benefits plans created by his employer for publicly-traded companies and other large employers in Texas and the Southwest. He left that position to serve as Vice President of a small, Houston-based real estate development firm.

Mr. Hunter joined Woska & Hayes LLP in March 2005 as a securities arbitration attorney. He successfully represented numerous clients of the firm across the country in settlements, mediations and arbitration hearings. Currently, he is Of Counsel to this firm's successor, The Hayes Law Firm, PC.

At Reich & Binstock, LLP, Mr. Hunter works with Debra Brewer Hayes on consumer class actions, mass actions, and financial and commercial litigation including commercial, health, homeowner and auto insurance coverage disputes, pharmaceutical and medical device products liability, commercial landlord liability, lender liability, employment retaliation, fair labor standards act violations involving payment of minimum wage and overtime, and consumer fraud including Telephone Consumer Protection Act violations.

Currently, Mr. Hunter represents county governments across the nation in actions to collect deed recording fees and real property transfer taxes from an association of banks and title companies and from government sponsored enterprises. He continues the firm's successful representation of consumers in actions against auto insurers for their failure to pay diminished value losses on vehicles involved in accidents. He assists Ms. Hayes' service on the Steering Committee of the Providers Track of cases in the Blue Cross Blue Shield Anti-Trust Litigation and as interim co-lead counsel in the Yamaha outboard motor product liability litigation. Mr. Hunter advises Houston businesses in contractual matters and litigates their disputes with customers and competitors.

Mr. Hunter is an active member of the State Bar of California, the State Bar of Texas, the Society of Financial Service Professionals, and the Public Investors Arbitration Bar Association ("PIABA"). In October 2007, he presented the following papers at the 16th Annual Meeting of PIABA:

- *A Measure of Quality and Quantity--Market Adjusted Damages as Proof of the Broker's Failure to Diversify--A Causal Connection Between Malfeasance and Damages* (co-authored with Lawrence Melton). This article was subsequently published in PIABA Bar Journal's Fall 2007 issue.
- *Framing the Issues--Liability for Losses on Transferred in Securities Grounded on Non-Disclosure and on Violation of High Standards of Commercial Honor*. This article was subsequently published in PIABA Bar Journal's Fall 2007 issue.

Admissions:

- State Bar of Texas
- State Bar of California
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California
- United States District Court for the Western District of Wisconsin
- United States District Court for the Southern District of Texas